

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA BOARD OF TEACHING

In the Matter of the Denial of the License
Application of Susan L. Register

FINDINGS OF FACT,
CONCLUSIONS AND
RECOMMENDATION

The above-entitled matter came on for hearing before Administrative Law Judge George A. Beck on Monday, June 12, 1995, at 9:30 a.m., at the Lower Level Conference Room of the Capitol Square Building, 550 Cedar Street, in the City of St. Paul, Minnesota. The record closed on the date of the hearing.

Bernard E. Johnson, Special Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, Minnesota 55101, appeared on behalf of the Minnesota Board of Teaching. There was no appearance by or on behalf of Susan L. Register ("the Respondent").

This Report is a recommendation, not a final decision. The Minnesota Board of Teaching will make the final decision after a review of the record which may adopt, reject or modify the Findings of Fact, Conclusions and Recommendations contained herein. Pursuant to Minn. Stat. § 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact Judith A. Wain, Executive Secretary, Minnesota Board of Teaching, 608 Capitol Square, 550 Cedar Street, St. Paul, Minnesota 55101, telephone (612) 296-2415, to ascertain the procedure for filing exceptions or presenting argument.

STATEMENT OF ISSUE

The issue in this contested case proceeding is whether or not the Respondent met the vocational licensure requirements for a license in secondary vocational agriculture.

Based upon all of the proceedings herein, the Administrative Law Judge makes the following:

FINDINGS OF FACT

1. The Notice of and Order for Hearing in this matter was served upon the Respondent by first class mail at 603 Ninth Avenue S.E., Austin, Minnesota 55912.
2. On June 7, 1995, the Administrative Law Judge received a letter from the Respondent which explained her position, stated she could not attend the hearing and stated that her "desire and excitement about agriculture and kids will have to remain in the private sector."

3. On June 8, 1995, the Administrative Law Judge received a letter from the Assistant Attorney General stating that he was interpreting Ms. Register's letter as withdrawing her request for a hearing. There has been no subsequent communication from the Respondent.

4. The Respondent failed to appear at the hearing of this matter on June 12, 1995, and no one appeared on her behalf.

5. That because the Respondent failed to appear at the hearing in this matter, she is in default in this proceeding.

6. Pursuant to Minn. Rules part 1400.6000, the allegations contained in the Notice of and Order for Hearing are hereby taken as true and incorporated into these Findings of Fact.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS

1. That the Minnesota Board of Teaching and the Administrative Law Judge have jurisdiction in this matter pursuant to Minn. Stat. §§ 14.50, 125.03, 125.09, and 214.10.

2. That the Board has given proper notice of the hearing in this matter and has fulfilled all relevant substantive and procedural requirements of law or rule.

3. That the facts set out in the Notice of and Order for Hearing fail to satisfy the requirements of Minn. Rule 8750.0240.

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

RECOMMENDATION

IT IS HEREBY RECOMMENDED: that the application of Susan L. Register for a vocational license in secondary vocational agriculture be DENIED.

Dated this 23rd day of June, 1995.

/s/

GEORGE A. BECK
Administrative Law Judge

NOTICE

Pursuant to Minn. Stat. § 14.62, subd. 1, the agency is required to serve its final decision upon each party and the Administrative Law Judge by first class mail.

Reported: Default.

